

Message Text

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S E C R E T SECTION 1 OF 4 TEL AVIV 6541

NODIS

E. O. 11652: GDS
TAGS: PGOV IS US EG
SUBJ: MIDDLE EAST NEGOTIATIONS: MEETING WITH DAYAN

REFS: (A) STATE 127246, (B) STATE 117795

SUMMARY: IN LONG SESSION MAY 19 WITH DAYAN, HE ACCEPTED WITH MINIMUM OF ARGUMENT THE LIMITED RESPONSES WE HAD FOR HIM TO HIS QUESTIONS FOR SADAT, AND DID NOT REACT ADVERSELY TO THE "PARALLEL, SIMULTANEOUS CONDITIONALITY" CONCEPT IN OUR PROPOSAL. BEGIN HAS DECIDED DEFER MAKING DECISION ON U S QUESTIONS FOR AT LEAST A WEEK OR TWO TO ALLOW POLITICAL ATMOSPHERE HRE TO COOL. DAYAN GAVE ME THE IMPRESSION THAT HE MAY DECIDE TO PUSHHARD FOR POSITIVE CABINET RESPONSES, BUT HE MADE NO COMMITMENTS. HE NOW INSISTS HE NEVER ASKED US TO ARRANGE FOR HIM ALONE TO MEET WITH SADAT, BUT THAT HE WOULD WELCOME A SADAT-VANCE-DAYAN (PLUS PERHAPS WEIZMAN) MEETING IF ONE CAN BE ARRANGED. END SUMMARY

1. MET WITH DAYAN AT HIS TEL AVIV OFFICE ON THE MORNING OF MAY 19 FOR ONE-AND-A-HALF-HOURS, TOGETHER WITH EVRON, RUBINSTEIN AND POLOFF FEIFER. I EXPLAINED TO DAYAN THAT WE COULD PROVIDE ANSWERS TO SOME OF HIS QUESTIONS BASED UPON OUR DISCUSSIONS WITH SADAT.

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STRESSED THAT IN ALL CASES SADAT'S INDICATIONS OF FLEXIBILITY WERE CONDITIONAL ON A STRONG DECLARATION OF PRINCIPLES, BY WHICH HE MEANT MORE EXPLICIT LANGUAGE ON WITHDRAWAL THAN CONTAINED IN RESOLUTION 242. I THEN GAVE DETAILED PRESENTATION OF ALL POINTS IN PARA ONE, REF B AND PARA SIX AND SEVEN IN REF A, CHARACTERIZING WHOLE PRESENTATION AS AN ORAL MESSAGE TO HIM FROM THE

SECRETARY.

2. WHEN I TOLD DAYAN THAT SADAT WOULD BE PREPARED TO MEET WITH HIM EITHER IN EGYPT OR A THIRD COUNTRY PROVIDED THE MEETING WAS WELL PREPARED, DAYAN RESPONDED SURPRISINGLY THAT THIS HAD NOT BEEN HIS IDEA (?). THE SECRETARY HAD SUGGESTED THIS BUT DAYAN HAD THOUGHT IT PREFERABLE FOR THE SECRETARY TO MEET WITH SADAT TO GET CLEAR ANSWERS TO DAYAN'S QUESTIONS. I SAID I RECALLED THAT DAYAN HAD BROUGHT UP THIS IDEA IN WASHINGTON, BUT DAYAN CONTRADICTED ME. HE SAID HE RECALLED HAVING SAID IN WASHINGTON THAT SADAT IS THE ONLY ONE YOU COULD DO SERIOUS BUSINESS WITH, BUT INSISTED THAT AT NO TIME DID HE SUGGEST HE MEET WITH SADAT ALONE. HE SAID THE SECRETARY HAD TOLD HIM AT THE AIRPORT THAT HE THOUGHT IT WOULD BE HELPFUL FOR THE THREE OF THEM TO MEET, AND HAD SAID HE WOULD TRY TO ARRANGE IT. A PRIVATE VANCE-DAYAN-SADAT MEETING COULD BE USEFUL, HE SAID, PERHAPS WITH WEIZMAN AND BARAK AS WELL ON THE ISRAELI SIDE, BUT HE WAS NOT SEEKING A MEETING JUST FOR HIMSELF AND DID NOT FEEL THAT WOULD BE USEFUL (*). I ASKED IN PASSING HOW HE WOULD FEEL ABOUT A MEETING WITH KAMEL. DAYAN RESPONDED THAT THERE IS NO POINT IN MEETING WITH HIM AND SMILINGLY SAID THAT IT WOULD BE A WASTE OF KAMEL'S TIME. "THERE MIGHT BE SOME USE TO A MEETING IF THE SINAI WERE THE ONLY TOPIC FOR DISCUSSION, BUT KAMEL DOES NOT
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KNOW A THING ABOUT THE WEST BANK." (THIS WAS THE MOST CURIOUS PART OF OUR CONVERSATION. IT MAY BE THAT SADAT HAS ALREADY REBUFFED DAYAN'S REQUEST--WHICH ACCORDING TO RECENT INTELLIGENCE REPORTS WAS PUT TO HIM ON DAYAN'S BEHALF BY THE ROMANIANS. THAT WOULD EXPLAIN WHAT OTHERWISE SEEMS TO ME TO BE HIS REWRITING OF RECENT HISTORY ON THIS POINT.)

3. DAYAN LISTENED QUIETLY AND INTENTLY TO THE REST OF MY PRESENTATION. WHEN I FINISHED, HE CAME DIRECTLY TO THE POINT AND ASKED WHETHER SADAT WOULD NEGOTIATE AND CONCLUDE PEACE TREATIES ON THE SINAI AND THE WEST BANK IF THE OUTSTANDING PROBLEMS COULD BE WORKED OUT. DAYAN ASKED WHETHER SADAT SAW NEGOTIATING A TREATY AS THE SAME AS CONCLUDING A TREATY. I ADMITTED THAT I COULD NOT CLARIFY THIS POINT ANY MORE THAN IN THE PAST. PRESUMABLY, I SAID, WHEN SADAT SAYS HE WILL NEGOTIATE, HE MEANS HE WOULD BE READY ALSO TO CONCLUDE A TREATY, BUT I COULD NOT GO WITH ANY ASSURANCE BEYOND THE WORD "NEGOTIATE" IN THE SECRETARY'S MESSAGE.

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4. DAYAN THEN ASKED IF SADAT SAW ARRANGEMENTS FOR THE FIVE-YEAR TRANSITIONAL PERIOD BEING HAMMERED OUT IN DIRECT MEETINGS OR WITH THE US AS AN INTERMEDIARY. I SAID I HAD THE IMPRESSION SADAT SEEMED GENERALLY FAVORABLE TO THE PROCEDURAL APPROACH DAYAN HAD OUTLINED IN WASHINGTON. HOWEVER, I STRESSED THAT SADAT HAD EMPHASIZED THAT THERE WOULD HAVE TO BE SUFFICIENT PRIOR UNDERSTANDINGS. MY IMPRESSION WAS THAT NEGOTIATIONS WOULD NOT BE CONDUCTED INDIRECTLY THROUGH THE US, ALTHOUGH THERE MIGHT BE AMERICANS PRESENT AS WELL AS ISRAELIS.

5. DAYAN ONCE AGAIN ASKED WHETHER SADAT WAS REALLY WILLING TO SIGN AN AGREEMENT REGARDLESS OF WHAT HUSSEIN DOES. I NOTED THAT SADAT HAD JUST SENT MUBARAK TO AMMAN TO DISCUSS HUSSEIN'S JOINING THE NEGOTIATING PROCESS. SUBSEQUENTLY, SADAT APPEARED TO BE RATHER OPTIMISTIC. HOWEVER, OTHER PEOPLE WHO HAVE RECENTLY SPOKEN TO HUSSEIN FIND HIM MORE PESSIMISTIC. DAYAN THEN MADE THE POINT THAT THE ISRAELIS ARE NOT COUNTING ON HUSSEIN; SADAT IS NOW THE KEY ACTOR. DAYAN STATED THAT IF ISRAEL GIVES POSITIVE ANSWERS TO THE AMERICAN QUESTIONS, IT WILL EXPECT SADAT TO AGREE TO CONCLUDE AND CARRY OUT A PEACE TREATY BASED ON NORMAL RELATIONS. UNLESS THERE WOULD BE FULL NORMAL RELATIONS, AS PRESIDENT CARTER HAS SUGGESTED, THERE IS NO REASON TO CARRY
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THE NEGOTIATIONS ANY FURTHER. DAYAN SAID THE GOI STILL

NEEDS TO KNOW IF SADAT CAN OR CANNOT NEGOTIATE FOR THE WEST BANK. "UNLESS SADAT CAN DELIVER THE GOODS, THERE IS NO REASON TO NEGOTIATE." DAYAN ADDED THAT, OF COURSE, IF AGREEMENT IS REACHED ON THIS QUESTION, THERE WOULD ALSO HAVE TO BE A PEACE TREATY ON THE SINAI. I NOTED THAT SADAT HAD SAID SEVERAL TIMES THAT IF THERE IS A SATISFACTORY DECLARATION OF PRINCIPLES, AND HUSSEIN REFUSES TO JOIN THE NEGOTIATING PROCESS, THEN SADAT WOULD BE PREPARED TO NEGOTIATE ON BEHALF OF THE WEST BANK. DAYAN RESPONDED THAT SADAT HAS SAID MANY DIFFERENT THINGS ON THIS SUBJECT. HE TOLD BARAK IN CAIRO THAT ONCE A TREATY WERE NEGOTIATED AND INITIALLED, THE NEXT STEP WOULD BE TO TAKE IT TO GENEVA WHERE IT WOULD BE HOSTAGE TO THE OTHER ARABS. DAYAN STRESSED THAT HE STILL NEEDED A CLEAR ANSWER TO THIS QUESTION.

6. DAYAN THEN SHIFTED TO THE QUESTION OF THE PRESENCE OF ISRAELI TROOPS IN THE WEST BANK AND GAZA AFTER THE FIVE-YEAR TRANSITIONAL PERIOD. HE NOTED THAT OUR ASSESSMENT OF SADAT'S POSITION DID NOT MENTION ANY AGREEMENT TO AN IDF PRESENCE BEYOND FIVE YEARS. HE RECALLED THAT THE AMERICAN POSITION ON THIS QUESTION AS EXPRESSED IN WASHINGTON WAS THAT ISRAELI FORCES COULD REMAIN, NOT NECESSARILY FOREVER, BUT CERTAINLY MORE THAN FIVE YEARS. I SAID WE AGREED THAT AN IDF SECURITY PRESENCE WAS CERTAINLY NECESSARY DURING THE FIVE-YEAR TRANSITIONAL PERIOD. BEYOND THAT POINT, THE ISRAELI SECURITY CONCERNS WILL CERTAINLY HAVE TO BE THE SUBJECT OF NEGOTIATIONS BETWEEN THE PARTIES. OUR PRIVATE VIEW IS THAT ISRAELI FORCES MAY HAVE TO REMAIN IN SOME POINTS FOR A LONG TIME.

7. WE PASSED QUICKLY OVER THE QUESTION OF BORDER
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MODIFICATIONS--WHICH EVRON INTERJECTED THAT SADAT HAD SAID WOULD HAVE TO BE MINOR--AND I NOTED THAT SADAT HAD REFERRED TO WEST BANK BORDER MODIFICATIONS IN PUBLIC AS WELL AS IN PRIVATE--THOUGH HE WAS NOT PREPARED FOR ANY BORDER MODIFICATIONS WITH RESPECT TO SINAI.

8. DAYAN THEN ASKED IF WHEN SADAT SPEAKS ABOUT THE ASWAN FORMULA HE IS USING THE PRESIDENT'S LANGUAGE. I REPLIED THAT THIS WAS CORRECT, AND THAT SADAT WAS REFERRING TO THE PRESIDENT'S WHOLE FORMULA AT ASWAN, NOT JUST TO THE SENTENCE ABOUT "PARTICIPATE IN THE DETERMINATION..." DAYAN ASKED WHETHER SADAT MIGHT BE REFERRING TO THE ISRAELI VERSION, WHICH WAS THAT PARTICIPATION OF THE PALESTINIANS IN THE DETERMINATION OF THEIR FUTURE WOULD BE THROUGH TALKS. I SAID I WAS NOT SURE, BUT RECALLED THAT THE EGYPTIANS HAD ACCEPTED THIS

LANGUAGE IN ONE OF THEIR DRAFTS FOR THE DECLARATION OF PRINCIPLES. HOWEVER, I SAID WE ARE REFERRING TO THE PRESIDENT'S STATEMENTS AT ASWAN, ALTHOUGH THIS WOULD NOT NECESSARILY RULE OUT ADDITIONS.

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9. AT THIS POINT DAYAN SAID THAT HE HAD HEARD SOMETHING NEW IN MY PRESENTATION, AN IDEA OF A SUPERVISORY GROUP OF EGYPT, JORDAN, ISRAEL AND REPRESENTATIVES OF THE PALESTINIANS WHO WOULD BE IN CHARGE DURING THE FIVE-YEAR TRANSITIONAL PERIOD. I SAID THAT ALTHOUGH SOMETHING SIMILAR MAY HAVE BEEN ALLUDED TO IN A RECENT CONVERSATION WITH A JOURNALIST (TONY LEWIS), NOTHING OF THIS SORT WAS MENTIONED IN MY MESSAGE. (EVRON THEN SAID TO DAYAN IN HEBREW THAT THIS HAD BEEN SOMETHING HE READ IN A NOTE HE HAD BEEN GIVEN, AND DAYAN QUICKLY DROPPED THIS SUBJECT.)

10. DAYAN NEXT SAID HE WAS CONCERNED ABOUT WHAT WE MEANT BY SOVEREIGNTY IN OUR QUESTION NUMBER ONE AND HOW THIS RELATED TO RESOLUTION 242, SINCE THE WORD DID NOT APPEAR IN 242. I REREAD TO HIM THE LANGUAGE OF OUR SUGGESTED RESPONSE TO QUESTION NUMBER TWO: "NEGOTIATIONS AMONG THE PARTIES DURING THE FIVE-YEAR TRANSITIONAL PERIOD LEADING TO A FINAL AGREEMENT BASED ON ALL THE PRINCIPLES OF 242...." I NOTED AND DAYAN AGREED THAT SOME OF THIS WAS LANGUAGE TAKEN DIRECTLY FROM AN ISRAELI DRAFT FOR THE DECLARATION OF PRINCIPLES. DAYAN NOTED WITHOUT COMMENT THE US VIEW THAT AFTER NEGOTIATIONS, THERE WOULD HAVE TO BE CONFIRMATION BY THE POPULATIONS OF THE WEST BANK AND GAZA. I AGREED THAT THERE WOULD HAVE TO BE AN APPROPRIATE EXPRESSION OF APPROVAL BY THE
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RESIDENTS. DAYAN ASKED HOW WE WERE PREPARING FOR A SITUATION OF NO-AGREEMENT AMONG THE PARTIES AT THE END OF THE FIVE-YEAR PERIOD. I SAID THAT WHEN ONE AGREES TO NEGOTIATE IN GOOD FAITH, ONE TRIES TO REACH AN AGREEMENT. HOWEVER, OBVIOUSLY, IT SOMETIMES HAPPENS THAT YOU JUST CANT SUCCEED.

11. DAYAN THEN NOTED THAT THERE ARE TWO WAYS OF MAKING DECISIONS FOR THE POST-TRANSITIONAL PERIOD: (1) EITHER MOST POINTS ARE FINALLY AND IMMUTABLY DECIDED BY THE PARTIES NOW, WHILE SOME ISSUES ARE LEFT FOR NEGOTIATION AFTER FIVE YEARS, OR (2) EVERYTHING IS SUBJECT TO REVIEW AFTER THE FIVE-YEAR PERIOD. IF THE SECOND APPROACH IS TAKEN, IT IS HARD TO EXPECT THE PARTIES TO IMPLEMENT THE INTERIM AGREEMENT SERIOUSLY. THEY WILL CONSIDER IT TO BE ONLY TEMPORARY AND PLAN TO CHANGE IT AS SOON AS POSSIBLE. DAYAN THOUGHT THAT SOME THINGS, SUCH AS THE PRESENCE OF ISRAELI FORCES, SHOULD NOT BE SUBJECT TO REVISION AFTER FIVE YEARS. SPEAKING HYPOTHETICALLY, DAYAN WONDERED WHETHER THE QUESTION OF SOVEREIGNTY COULD BE DECIDED THEN WITHOUT AFFECTING A RIGHT NEGOTIATED NOW FOR ISRAELI FORCES TO REMAIN AFTER THE TRANSITIONAL PERIOD. I REPLIED THAT SUCH A FORMULATION WOULD SURELY NOT BE EASY FOR ANYONE TO ACCEPT. THE CONCEPT OF SOVEREIGNTY WAS WELL UNDERSTOOD. ONE COULD NOT PRECLUDE A SOVEREIGN POWER FROM INSISTING ON RENEGOTIATING A MILITARY BASE AGREEMENT. ALTHOUGH A PERMANENT FOREIGN PRESENCE COULD HARDLY BE COMPATIBLE WITH SOVEREIGNTY, A FOREIGN MILITARY PRESENCE FOR A FIXED TERM MIGHT, SINCE THERE WERE MANY PRECEDENTS.

12. DAYAN WANTED TO PURSUE THIS POINT. HE NOTED THE PRESIDENTS SUGGESTION IN MARCH THAT THERE WOULD BE
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A REFERENDUM BY THE WEST BANK/GAZA ARABS ON WHETHER TO CONTINUE THE AUTONOMY REGIME OR ACCEPT A LINK WITH JORDAN. DAYAN SAID HE WANTED TO HINK OUT LOUD ABOUT THE CONCEPT IN ORER TO CLARIFY AS MANY OF ITS RAMIFICATIONS AS POSSIBLE. IF AFTER THE FIVE-YEAR PERIOD THE WEST BANK/GAZA ARABS DECIDED ON A LINK WIT JORDAN, THIS PRESUMABLY WILL MEAN THAT WHATEVER SPECIFIC ARRANGEMENTS THEY HAD UNDER AUTONOMY WOULD BE TRANSFERRED TO JORDAN. HOWEVER, IF THE SOVEREIGNTY ISSUE WERE DECIDED, AND THE ARABS THEN INSISTED THEY WOULD ACCEPT NO ISRAELI

PRESENCE IN THE TERRITORIES, WHAT HAPPEN? WHAT IF THEY WANT TO CHANGE THE WHOLE SYSTEM AS AGREED UPON DURING THE INTERIM PHASE? WOULD THIS ANCEL ISRAEL'S RIGHTS?

13. DAYAN THEN ASKED IF ONE COULD REPLACE THE WORD SOVEREIGNTY WITH ANOTHER, MORE FLEXIBLE TERM.I RECALLED SOME MENTION IN WASHINGTON BY HE SECRETARY OF OF THE PHASE "PERMANENT STATUS OF THE TERRITORY" AS A POSSIBLE ALTERNATIVE. IN ANY CASE I SAID THE ESSENCE OF OUR FIRST QUESTION IS THE NEED FOR A FIRM COMMITMENT TO REACH A FINAL, DECISIVE SETTLEMENT AFTER FIVE YEARS ABOUT THE FUTURE OF THESE AREAS, NOT ANY ONE SPECIFIC WORD.

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14. SUMMING UP. DAYAN ASKED IF THE ISSUES WERE (1) A DECISION FOR THE POST-FIVE-YEAR TRANSITIONAL PERIOD WHICH WOULD BE FINAL AND NOT TRANSITIONAL AND (2) FOLLOWING THE PRESIDENT'S ORIGINAL APPROACH, THERE WOULD EITHER BE A DECISION TO CONTINUE THE AUTONOMY REGIME AFTER FIVE YEARS OR ITS REPLACEMENT PERMANENTLY BY A DIRECT STRONG LINK WITH JORDAN. I REPIED THAT WHAT WE WERE ASKING FOR AT THIS POINT WAS NOT THE SAME QUESTION THE PRESIDENT ASKED IN MARCH. DAYAN RECOGNIZED THIS. DAYAN ONCE AGAIN BROUGHT UP THE QUESTION OF WHAT WOULD HAPPEN IF THERE IS NO AGREEMENT AT THE END OF THE FIVE YEAR PERIOD. WERE THE ISRAELIS SIMPLY BEING ASKED TO AGREE THAT THEY WOULD DO THEIR BEST TO AGREE? I REPLIED THAT THERE WAS NO MENTION OF WHAT WOULD HAPPEN IF NO AGREEMENT COULD BE REACHED. ONE COMMITS IN GOOD FAITH TO REACH AGREEMENT AND ONE TRIES ONE'S BEST. DAYAN THEN ASKED, ASSUMING THE CABINET'S ANSWER TO THE U S 'S TWO QUESTIONS WERE

SATISFACTORY, DID WE THINK SADAT WOULD BE WILLING TO TALK BUSINESS (WITH OR WITHOUT HUSSEIN)? I REPLIED THAT THERE IS A PRETTY GOOD CHANCE THAT IF THE ISRAELIS ANSWER OUR TWO QUESTIONS POSITIVELY, SADAT WILL SIMILARLY ANSWER DAYAN'S FOUR QUESTIONS POSITIVELY--AND I RESTATED OUR IDEA OF PARALLEL, SIMULTANEOUS, AND PRIVATE COMMITMENTS. I SAID AGAIN THAT OUR STRONG FEELING IS THAT SADAT MAY BE ATTRACTED TO THE NEGOTIATING

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TRACK DAYAN OUTLINED IN WASHINGTON, IF THE GOI CAN GIVE POSITIVE RESPONSES TO OUR TWO QUESTIONS. WE HAD THE IMPRESSION THAT POSITIVE ISRAELI ANSWERS, PLUS SADAT'S ANSWERS TO DAYAN, WOULD PROVIDE THE NEEDED BASIS FOR A SERIOUS MEETING TO RENEW NEGOTIATIONS.

15. FINALLY I TOOK THE OPPORTUNITY TO CLARIFY ONCE AGAIN WHERE WE WERE ON THE FORMAL EGYPTIAN COUNTERPROPOSAL TO THE BEGIN WEST BANK/GAZA PLAN. I NOTED THAT BEGIN HAD APPARENTLY MISUNDERSTOOD THE MESSAGE THAT I HAD PASSED TO HIM THROUGH EVRON. I SAID THAT EGYPT HAD MERELY DECIDED TO GIVE SOME FURTHER THOUGHT TO THEIR COUNTERPROPOSAL; THAT THEY WERE WORKING ON IT; AND THAT ALTHOUGH IT WOULD NOT ARRIVE IN THE NEXT FEW DAYS, WE HAD THE IMPRESSION THEY ARE DEFINITELY INTENDING TO HAVE A PROPOSAL FOR US "IN DUE COURSE."

16. COMMENT: THE MEETING WENT BETTER THAN I HAD EXPECTED. DAYAN DID NOT REJECT OUR PROPOSAL FOR A PARALLEL AND SIMULTANEOUS EXCHANGE OF ANSWERS WITH SADAT. HE APPEARS TO HAVE CONCLUDED THAT HUSSEIN IS UNWILLING TO JOIN THE NEGOTIATING PROCESS AND THAT DEALING WITH SADAT IS THE ONLY VIABLE TRACK AT THIS POINT. HOWEVER, HE RETAINS DOUBTS THAT SADAT EITHER IS ABLE OR WILLING TO ACT AS INTERLOCUTOR FOR THE WEST BANK AND TO GO THE ROUTE AND CONCLUDE PEACE TREATIES WITH ISRAEL. DAYAN MADE NO COMMITMENTS TO ME ABOUT WHERE HE WOULD COME DOWN WHEN THE CABINET DISCUSSES THE ISRAELI RESPONSES TO OUR QUESTIONS. HE OBVIOUSLY WANTS TO THINK THINGS OUT A BIT MORE. HOWEVER, MY IMPRESSION IS THAT HE IS WILLING TO ADVOCATE A POSITIVE RESPONSE (CONDITIONAL UPON RECEIVING SUITABLE EGYPTIAN RESPONSES) IN ORDER TO PUT SADAT TO THE TEST. HE MADE

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CLEAR THAT WE SHOULD NOT EXPECT ANSWERS OUT OF THIS

SUNDAY'S CABINET MEETING--HE SAID BEGIN HAD DECIDED TO
DEFER DECISION ON THIS IMPORTANT ISSUE UNTIL "THE
ATMOSPHERE COOLS DOWN A BIT." MY GUESS IS THAT
IT WILL BE ABOUT TWO WEEKS BEFORE WE HAVE THE ISRAELI
RESPONSE.

17. DEPARTMENT MAY WISH REPEAT THIS MESSAGE TO CAIRO.
LEWIS

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